

CITY OF WINCHESTER
COMMON COUNCIL
MEETING MINUTES
MONDAY, SEPTEMBER 16, 2013

Public Hearing: Petition to Vacate an Easement @ 6:30 pm

Mayor Croyle opened the public hearing to receive input from members of the public. Nathan Conner, Attorney for Derry and Brenda Hobson, was present to speak for the easement located at 443 S. Main. The current structure will be demolished and a new structure will be built. Councilor Nunez asked about the debris from the project. Mr. Conner stated everything will be demolished, removed and a structure will be built in the same place. As much of the structure as possible will be salvaged and used in the new structure.

No one else offered any comments. Mayor Croyle then adjourned the public hearing at 6:35 pm.

Pledge of Allegiance – Mayor Croyle
Prayer – Councilor Sells

Regular meeting @ 6:36 p.m.
Council Chambers / City Hall / 113 E. Washington St.

Mayor Croyle called the meeting to order and presided over the meeting. Clerk-Treasurer, Vicki Haney, recorded the minutes.

The Clerk's roll call showed five City Council Members present.

Precinct 1	Councilor Larry Preston
Precinct 2	Councilor Tom Sells
Precinct 3	Councilor Santiago (Jim) Nunez Jr.
Precinct 4	Councilor Leesa Friend
At Large	Councilor Todd Schroeder

Additional Officials Present:

Meeks Cockerill, City Attorney; Kathy Bond, Parks Department Superintendent; Bill Yost, Fire Chief; Frank Lowrance, Street Department Superintendent; Mike Burk, Police Chief; and Chris Martin, Waste Water Treatment Plant Superintendent.

Citizens Present:

Debbie Henning, Kevin Shook, Tim Yost, Cecil Cantrall, and Nathan Conner

Media Present:

Bill Richmond (News Gazette)

Approval of the Minutes:

Councilor Schroeder moved to approve the minutes of the August 19, 2013 meeting. Councilor Preston seconded. Motion passed 5-0.

UNFINISHED BUSINESS

Nuisance Ordinance

Attorney Cockerill stated he is working on an ordinance that will amend the exception for mowing to state if the property is over 20 acres it does not have to be mowed according to the current nuisance ordinance. Section 94.25 also needs to be amended to state the mailing for ordinance violations do not need to be sent by way of certified mail. Councilor Nunez presented a map of the area of Ohio Valley Gas and the areas that are mowed and not mowed. Councilor Nunez is concerned because Ohio Valley Gas is one of the first businesses seen when entering Winchester on Highway 32 East. The area in the front still needs to be mowed because it is so close to the Highway. Attorney Cockerill will write the ordinance so any amount of the 20 acres could be cultivated. The ordinance also specifies that hay has to be cut from the area so weeds would not be acceptable. Councilor Nunez would like to review the ordinance before any action is taken. The Council may consider allowing an exception to its high grass ordinance in situations where the property owner has 20 acres of ground or more and raises hay.

Dumpster Issues

Attorney Cockerill attempted to write an ordinance for the use of the dumpsters. The Council Members need to review the ordinance and make any necessary changes before it is adopted. No construction material of any kind is to be put in the dumpsters. The issue is figuring out what is construction waste from a contractor and what is construction waste from a resident; because of this issue no construction waste is to go in the dumpsters. Section five deals with refuse from outside the City limits which is not allowed to be placed in the City's dumpsters. The dumpster fees from last year totaled Seventy Three Thousand Dollars (\$73,000.00). Councilor Schroeder stated that amount is ridiculous and the City is probably on track to make that figure higher this year. Councilor Schroeder stated if a citizen cleans out their garage and has a truckload of items it can be taken to the Street Department; but when a citizen remodels their home or removes a structure it should be taken to the dump, not the Street Department. Councilor Schroeder would also like to see signs that prohibit people from outside the City limits from putting items in the dumpsters. Security cameras will be installed soon.

Ordinance No. 2013-7

Ordinance No. 2013-7 was presented by Mayor Croyle and was entitled, "AN ORDINANCE FIXING SALARIES OF APPOINTED OFFICERS AND EMPLOYEES OF THE CITY OF WINCHESTER, RANDOLPH COUNTY, INDIANA AND PROVIDING ADDITIONAL COMPENSATION TO CERTAIN ELECTED AND APPOINTED OFFICERS OF THE CITY OF WINCHESTER, RANDOLPH COUNTY, INDIANA FOR THE YEAR BEGINNING JANUARY 1, 2014." Attorney Cockerill stated the County will not be able to adjust their tax levy for 2014 because the budget hearings have already been held. The request for the tax levy has been sent for the 2015 year. Mayor Croyle suggested the City fund a full time dispatcher at the County and pay them from the City, so the City would not have to pay the County the lump sum for dispatching services. This position is not reflected in the salary ordinance. The salary ordinance would have to be amended if the position is added. A discussion was held about hiring an employee to work at the County. This option would be more expensive than just paying the County for the services, but it would not be considered double taxation. Attorney Cockerill is not sure this scenario will work, but it could be reviewed. The original contract with the County was discussed. A discussion was held about the costs differences of the options provided. Mayor Croyle stated the DLGF (Department of Local Government and Finance) stated that if this process continues the budgets of both the City and the County will be disapproved for 2015. Mayor Croyle is not willing to put the budgets in jeopardy for this. The levy still needs to be transferred, but it will not be complete until the 2015 budget, so something needs to be done for 2014. Attorney Cockerill has discussed this issue with many people and something has to be done. A service

needs to be determined that only the City receives, and then the payment can be made to the County like it has been in years past. The City employee's benefits were discussed. A person could be contracted to work at the County. The taxes that fund the general fund were discussed. Councilor Schroeder moved to have the third and final reading of Ordinance No. 2013-7 by title only. Councilor Sells seconded. Motion passed 5-0. Third and final reading complete. Councilor Sells moved to approve the third and final reading of Ordinance No. 2013-7. Councilor Schroeder seconded. Motion passed 5-0. Thus it becomes Ordinance No. 2013-7.

NEW BUSINESS

Breast Cancer Awareness

Kevin Shook, fireman, was present to discuss the Breast Cancer Awareness benefit. October is Breast Cancer Awareness month. The firefighters will be wearing pink in October to support this cause. The Fire Department Firefighters are raising money to promote breast cancer awareness. T-shirts are being sold and can be purchased in the Fire Department. The proceeds will benefit the Cancer Services for Randolph County. 129 t-shirts were purchased and 51 t-shirts were sold in the first day. Order forms are available for larger orders. Mr. Shook would like to have a fund raiser each year for this cause. If 130 shirts are sold Seven Hundred Fifty Dollars (\$750.00) will be raised. The shirts are being sold for Twelve Dollars (\$12.00) each. Councilor Nunez, on behalf of WCCPC (Winchester Community Cultural Preservation Committee), invited the firefighters to participate in the Mardi Gras parade wearing their pink shirts.

Veteran's Shelter

Mayor Croyle explained Linda DeHaven, volunteer for the Randolph County Veterans Service, is working to establish a veteran's shelter. The shelter would be located at the former Randolph County Hospital building, 400 E. Greenville Avenue. Programs would be available to help veterans with medical needs and physical needs. Mrs. DeHaven will be present at the next Council meeting to request financial assistance.

Ordinance No. 2013-9

Ordinance No. 2013-9 was presented by Nathan Connor and was entitled, "ORDINANCE OF THE CITY OF WINCHESTER, INDIANA, FOR THE VACATION OF AN ALLEY, SAID ALLEY LOCATED IN MONK'S ADDITION TO THE TOWN, NOW CITY OF WINCHESTER, INDIANA AND PROVIDING FOR THE RESERVATION OF UTILITY RIGHTS AND PROVIDING FOR THE ABANDONMENT OF THE VACATED PORTION TO THE ADJOINING LANDOWNERS." A public hearing preceded this meeting.

Councilor Schroeder moved to have the first reading of Ordinance No. 2013-9 by title only. Councilor Sells seconded. Councilor Preston asked about the response from the adjoining landowners. Mr. Conner spoke to Mr. Jeff Wilson, adjoining property owner, who had one concern regarding a fence. Mr. Wilson did not want this vacation to cost him financially and it will not. Motion passed 5-0. First reading complete. Councilor Schroeder moved to approve the first reading of Ordinance No. 2013-9. Councilor Nunez seconded. Motion passed 5-0.

Councilor Schroeder moved to suspend the rules and have the second reading of Ordinance No. 2013-9 by title only. Councilor Nunez seconded. Motion passed 5-0. Second reading complete. Councilor Sells moved to approve the second reading of Ordinance No. 2013-9. Councilor Schroeder seconded. Motion passed 5-0.

Councilor Schroeder moved to suspend the rules and have the third and final reading of Ordinance No. 2013-9 by title only. Councilor Friend seconded. Motion passed 5-0. Third and final reading complete.

Councilor Schroeder moved to approve the third and final reading of Ordinance No. 2013-9. Councilor Nunez seconded. Motion passed 5-0. Thus it becomes Ordinance No. 2013-9. Councilor Schroeder asked when the construction will begin. Mr. Conner stated it will begin sometime in the spring of 2014.

Street Lights

Mr. Jeff Kindred, 178 Ball Road, is requesting a street light be located near his property. The City does not have any street lights located in that area. Mr. Bob Mallory, 171 Ball Road, installed a street light in that area. Mayor Croyle asked the Council if they would like to look at the area and make a recommendation on the request at the next meeting.

Dumpster Diving

Superintendent Lowrance asked if the City has an ordinance against dumpster diving. Citizens have been digging through the dumpsters and picking items out of the trash. That is trespassing. Chief Burk stated no trespass orders have been given to some of the offenders already. Chief Burk stated after one no trespass order is given to a person, the next time they are caught trespassing they go to jail. Superintendent Lowrance will place a no dumpster diving sign at the Street Department.

Resolution No. 2013-5

Resolution No. 2013-5 was presented by Mayor Croyle and was entitled, "RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF WINCHESTER, INDIANA, APPROVING THE ORDER OF THE AREA PLAN COMMISSION AND THE ESTABLISHMENT BY THE WINCHESTER REDEVELOPMENT COMMISSION OF THE WINCHESTER HISTORIC DOWNTOWN ECONOMIC DEVELOPMENT AREA." Mayor Croyle explained a TIF (Tax Increment Financing) District would be established in the downtown area. The TIF District will be bordered by Third Street to the North, East Street to East, West Street to the West, and South Street to the South. This will create a district that will ensure the ability to spend TIF revenues in the district, but no incremental money will be received from the district. In 2011, the City combined three TIF Districts into one TIF district. The establishment of the TIF district in the downtown would also be included in this. This resolution will protect the downtown area in the event of new legislation that could change the way TIF revenues are spent. It will also insure the continuation of the Façade Restoration Program. The Redevelopment Commission adopted a concurrent resolution. Mayor Croyle will be attending the Area Plan Commission of Randolph County meeting on September 17, 2013 to present and ask for approval for the establishment of the Winchester Historic Downtown TIF. Councilor Schroeder moved to have the reading of Resolution No. 2013-5 by title only. Councilor Nunez seconded. Motion passed 5-0. Reading complete. Councilor Schroeder moved to approve the reading of Resolution No. 2013-5. Councilor Nunez seconded. Motion passed 5-0. Thus it becomes Resolution No. 2013-5

Fire Truck

Chief Yost explained Rescue 1 needs to be replaced; it was purchased in 1967. Chief Yost has met with fire truck suppliers and a set of bid specifications is being prepared. The engine in Rescue 6 is being replaced as well. Chief Yost asked for approval to advertise the bids. One reason Chief Yost wants to move quickly on this change is because the Environmental Protection Agency requires urea tanks on diesel equipment. It is an additional filter on the tank. The apparatus that is being quoted does not require the urea tank; Chief Yost would like to purchase the equipment before the new regulations are enforced because the cost will increase significantly. Councilor Schroeder moved to allow Chief Yost to advertise for bids. Councilor Friend seconded. Motion passed 5-0.

Ordinance No. 2013-8

Ordinance No. 2013-8 was presented by Clerk-Treasurer Haney and was entitled, "ORDINANCE FOR APPROPRIATIONS AND TAX RATE." Clerk-Treasurer Haney stated the 2014 budget was the subject of a public hearing at the last regular meeting. Ordinance No. 2013-8 was previously presented and approved for first and second readings on August 16, 2013.

Councilor Schroeder moved to have the third and final reading of Ordinance No. 2013-8 by title only. Councilor Sells seconded. Motion passed 5-0. Third and final reading complete. Councilor Sells moved to approve the third and final reading of Ordinance No. 2013-8. Councilor Schroeder seconded. Motion passed 5-0. Thus it becomes Ordinance No. 2013-8.

Department Reports

Mike Burk, Police Chief – submitted a written report.

Frank Lowrance, Street Department Superintendent – submitted a written report.

Kathy Bond, Parks Department Superintendent – submitted a written report.

Bill Yost, Fire Chief – submitted a written report.

Chris Martin, Waste Water Treatment Plant Superintendent – no report.

Councilor Schroeder moved to accept the department reports as presented. Councilor Sells seconded. Motion passed 5-0.

Plow Trucks

Superintendent Lowrance asked Council to consider replacing three plow trucks. Superintendent Lowrance stated the trucks are in disrepair. Many of the parts for the trucks are no longer available. Decatur Truck & Tractor Inc. doing business as Selking International, LLC, submitted a lease financing proposal. The cost of purchasing the equipment is Two Hundred Ninety Thousand Dollars (\$290,000.00). The proposal is a five year lease-to-own program. The life of the trucks is estimated at 15 years. Each truck has approximately 180,000 miles on it.

The trucks can be traded in for newer models; however, the proposal does not include the trade in because the International Representative has not seen the City's trucks. Clerk-Treasurer Haney suggested contacting the Indiana Bond Bank for competitive rates. Mayor Croyle stated he does not expect the Council to take action on this tonight, but it will be reviewed at the next meeting.

Accounts Payable Vouchers

The end of August accounts payable vouchers totaled One Hundred Eighty Four Thousand Four Hundred Fifty Nine Dollars and Eight Cents (\$184,459.08).

General Fund	\$3,808.50
Motor Vehicle Highway Fund	\$3,563.29
LLE Continuing Ed. Fund	\$26.28
Fire Department Non-Reverting Training	\$54.76
K-9 Donation	\$321.51
Win Fire Dept Prof Development	\$96.68
Animal Control Fund	\$57.00

Revolving Loan Fund	\$10,000.00
Employee Welfare Benefit Plan	\$170,985.63

The September 1 thru September 11 accounts payable vouchers totaled Eighty Three Thousand Eight Hundred Twelve Dollars and Eighty Cents (\$83,812.80).

General Fund	\$33894.72
Motor Vehicle Highway Fund	\$6,782.58
Light Fund	\$4,756.89
Court Cash Due County Fund	\$1,091.50
City Court User Fee Fund	\$1,080.00
Cumulative Capital Improvement	\$1,507.50
Beeson Estate Farm Fund	\$1,034.38
Fire Pension Fund	\$3,965.74
K-9 Donation Fund	\$6,534.00
Ambulance Non Reverting Fund	\$779.57
Win Pol Dept. Prof Development Fund	\$65.00
Cum Capital Development Fund	\$830.00
Employee Welfare Benefit Plan	\$11,135.42
Sidewalk Rehab Fund	\$10,152.50
Animal Control Fund	\$128.00
Animal Control Donation Fund	\$25.00

The Payroll accounts payable vouchers totaled Eighty Five Thousand One Hundred Eighty Two Dollars and Forty Five Cents (\$85,182.45). The total of all accounts payable vouchers totaled Three Hundred Fifty Three Thousand Four Hundred Fifty Four Dollars and Thirty Three Cents (\$353,454.33). Councilor Nunez stated a claim was presented from the Chamber of Commerce for Five Hundred Dollars (\$500.00) for the Dinner on the Avenue and the Annual Golf Outing. The Golf Outing was canceled and the accounts payable vouchers were reduced by Two Hundred Fifty Dollars (\$250.00) which was the amount of the Golf Outing. Councilor Nunez also asked about the gasoline claims. The Park and Fire Department use the local gas stations instead of the fuels pumps located at the Randolph County Highway Department. Councilor Schroeder moved to approve the accounts payable vouchers. Councilor Friend seconded. Motion passed 5-0.

Mayor's Report

Mayor Croyle announced he will be attending a Mayor's Institute at IUPUI (Indiana University and Purdue University Indianapolis) on September 17 and September 18, 2013. Mayor Croyle will be a presenter.

A planning session for the third MSSC (training program for advance manufacturing) Class will be held on September 19, 2013. Mayor Croyle commented great success has been achieved with the first two classes.

The 1st graders of Deerfield Elementary School will visit City Hall for a field trip on September 20, 2013. Winchester Community High School (WCHS) homecoming parade is September 20, 2013 at 5 pm and the football game is at 7:00 pm.

A groundbreaking ceremony for the Gillman Home Center, 920 E. Greenville Pike, was recently held.

Announcements

The Board of Public Works and Safety will meet September 17, 2013 at 8:00 am in the Council Chambers.

The Area Plan Commission of Randolph County will meet September 17, 2013 at 7:00 pm.

The Randolph County Economic Development Board will meet September 17, 2013 at 7:00 pm.

Adjournment

There being no further matters to discuss, Councilor Schroeder moved to adjourn. Councilor Sells seconded. Motion passed 5-0. The September 16, 2013 meeting was adjourned at 8:05 pm.

Mayor, Steve Croyle

ATTEST: _____
Clerk-Treasurer, Vicki Haney